

## 9.14.15 Conservation Commission Minutes

### Minutes of the Taunton Conservation Commission September 14, 2015

Present: Chair Steven Turner, Vice Chair Neil Kelly, Commissioners Debra Botellio, Marla Isaac, Ernest Enos, Renwick Chapman, and Luis Freitas.

Motion to approve the minutes of August 17, 2015, DB, second MI, so voted.

#### Continued Certificate of Compliance

1. 155 Duffy Drive, Butterfield, (COC), SE73-2464 Present Kim Butterfield owner and John Delano. New plan submitted, the house next door was originally a short sale, possible foreclosure, now new owners have closed on it. Atty. Matt Costa is representing the Butterfields and is working with the new owners and they are ok with selling the small piece of their property. Unfortunately they have to wait 90 days when dealing a lien holder so that is what is going on now. ST asked if they should continue to the December meeting so that everything is in place? All agreed. Motion to continue to December 14, 2015, DB, second NK, so voted.

#### Certificate of Compliance

1. Kilmer Avenue, COT/THA, (COC), SE73-2488 Field report states that this project consisted of razing existing housing units at Dewert Avenue and constructing 88 new units along with a community center, maintenance building, basketball court, playground areas, community garden, and storm water detention basin. The new road from Kilmer Avenue into Fairfax Gardens is Fairground Avenue (formerly Dewert Ave.) and connects to Shores Street. A Conservation Restriction was placed on the adjacent wetlands/NHESP areas of the property. All work has been done in significant compliance to the order of conditions issued on 3/19/12. All disturbed areas are stabilized, catch basins are clear, the detention basin is functioning properly and the wetlands were undisturbed. MR recommends that the TCC issue a COC for this project. Motion to approve, RC, second DB, so voted.
2. 159 Wisteria Place, Swain, (COC), SE73-2276 Field report states that this project was for the installation of an in-ground pool with a 12 foot wide apron surrounding it. All work has been completed in significant compliance to the order of conditions issued on 7/25/07. There is no indication of sedimentation into the adjacent wetlands and all areas are stable. MR recommends that the TCC issue a COC for this filing. Motion to approve, DB, second RC, so voted.

3. 507 County Street, Wells, (COC), SE73-2324 Field report states that this project was to remove an existing shed and salon building and to construct an office/retail building within 100 feet of a BVW. All work has been completed in significant compliance to the order of conditions issued on 4/17/08; however, other issues remain, as follows:

- the dumpster must have a stockade fence around it per Board of Health requirements (the Board of Health has been notified of this infraction);
- there is a large pile of yard waste within seven (7) feet of the BVW behind Unit A (northwest corner);
- there is a pile of trash just to the left of this pile within five (5) feet of the BVW;
- two large concrete slabs are to the right of the propane tank and behind Unit B; and
- there is a pile of trash in the southwest corner behind Unit C.

These five issues must be corrected prior to the release of the COC. MR recommends that this filing be continue to the 10/19/15 meeting in order for these issues to be remedied. Motion to continue to October 19, 2015, DB, second RC, so voted.

4. 145 Craven Court, Dunham, (COC), SE73-2364 Field report states that this project was to construct a single family home with associated grading and utilities and was amended to include an in-ground pool. All work was completed in significant compliance to the order of conditions issued on 11/5/08 and amended on 8/9/10. All areas are stable and there is no indication of siltation into the adjacent BVW. MR recommends that the TCC issue a COC for this project. Motion to approve, RC, second MI, so voted.

5. 14-17 Park Street, Resource Control Associates, Inc., (COC), SE732321 Field report states that this project was for the demolition of buildings, site remediation and environmental site assessment. Resource Controls, on behalf of Admiral Metals,

submitted a Permanent Solutions Statement (PSS) conclusions and an Activity and Use Limitation (AUL) for the above property.

The full document is enclosed in the file. A summary of the findings are as follows:

-the source of the release of OHM is believed to be from historic use of the facility as a metal foundry and distribution operation. The shut-down of the operation, in conjunction with the removal of the former UST's and excavation and off-site disposal of impacted soil, the skimming of NAPL from groundwater, a bioremediation project near the shoreline of the Mill River, and the application of an AUL on a portion of the property has eliminated the sources and remediate the impact of OHM;

-the source of the release of PCB to soil has been eliminated;

-residual OHM, including metals, PCBs, petroleum impacted soil and groundwater, and NAPL have been removed.

Residual petroleum impacts remaining will continue to biodegrade through natural processes;

-a small area of NAPL remains on Site in micro-scale mobile form;

-groundwater exposure point concentrations for contaminants of concern identified at the site are below applicable Method 1 GW -2 and GW -3 groundwater standards;

-several EPCs for soil exceed Method 1 S-1 standards and an AUL was placed on a portion of the property to address the soil exceedences and the area of NAPL greater than ½ inch, and is required to maintain a condition of No Significant Risk;

-it was concluded that remediation of the site to a level achieving or approaching background is categorically infeasible for the non-persistent COC and infeasible for persistent COC present with lower exposure potential;

-A Stage I Ecological Risk Categorization was conducted and concluded that the Site does not currently pose a potentially significant risk to either aquatic biota or habitats;

-a combined Method 1, 2, and 3 Risk Characterization demonstrated that a condition of No Significant Risk to human health, safety, public welfare, and the environment exists at the site;

-a permanent solution with conditions has been attained for the site.

All work has been completed in significant compliance to the order of conditions issued on 3/12/08. One building remains standing and will be addressed in the forthcoming NOI. MR recommends that the TCC issue a COC for this project. RC remove silt fence?

MR wouldn't until all work on site is done. Motion to approve, RC, second DB, so voted.

#### Public Meeting

1. 178 Dunbar Street, Leonard, (RDA), DSE-1116 Field report states that this project is for a septic system upgrade at the above address and within the 100 foot buffer zone of a BVW. The wetlands, located in the rear of the lot, were delineated by Outback Engineering, Inc. in August 2015, using pink flags numbered WF-1 to WF-3. This project is exempt from a MESA filing according to NHESP. MR reviewed the wetland boundary and is in agreement with the delineation. A siltation barrier is depicted on the plan

88 feet from the BVW, and is the limit of work. Grading will fall within 90 feet of the wetland (flag WF-2), and the leaching chambers will be 103 feet from the BVW. The remainder of the work, including the 2000 gallon tank, will be outside the buffer zone. The work as proposed will not negatively impact the BVW, therefore MR recommends that the TCC approve the project and issue a negative determination to include the attached special conditions. In addition, MR recommends the approval of the wetland line as follows: flags WF-2 with flags WF-1 and WF-e for reference purposes only. Motion to open, DB, RC, so voted. Jen Silva from Outback Engineering. Motion to issue a negative determination with conditions 1, 2, 3, 4, 8, 14, 18, 19, and 20-straw wattles or straw bales, RC, second MI, so voted.

#### Public Hearing

1. 17 Park & 50 Washington Street, Carter/50 Washington Street Associates, LLC, (NOI), SE73- Motion to open, DB, second MI, so voted. Motion to continue to October 19, 2015, DB, second MI, so voted.

#### Violations

1. Winthrop Street (89-188), St. Germain. Pictures were passed around, work has been done, you can see a difference on the property. MR said Mr. St. Germain has done a good job coming into compliance. The fill is almost gone. Motion to remove violation, leave silt fence up, DB, second RC, so voted.
2. 1601 Bay Street, Melo. MR has asked him a few times to move the pile. It is not visible from the road. NK a number of years ago it was approved, people said TCC was too easy on him, now not happy there is a violation there. Motion to have Melo present at the meeting on 10/19/15, the pile is to be moved prior to the meeting or fining will begin and will be retroactive to when this violation began, NK, second DB, so voted.

3. 21 O'Connor Street (Enforcement Order). They got a wetland specialist out there right away, MR walked property and everything cut is sprouting back up. It is not as bad as it looked before. They planted and cleaned up the property. Agie Felicianno and his son Joshua Felicianno present. The intent was to purchase and do a complete reno, lots of brush was overhanging and overgrown, they cut it back. A neighbor called and MR came out right away. They cut too far into the neighbors property. MR

spoke with the abutter and they are satisfied with the new plantings. The Felicianno's had a wetlands specialist come out to tell them what to do to correct this. The specialist came out to check and said it is all set, MR agrees. They were very responsive. MR recommends they remove all construction debris from the rear of the property. The owner and son were not on site, they left it up to the contractor and he went overboard. MR did meet with all onsite and everyone understands now. MR said the owner responded in one hour and that this is all a learning process for all involved. Motion to remove the violation, MR will go out in one month to check, RC, second DB, so voted.

#### Other Business

1. Fremont Street (Waterman), truck in Cobb Brook. It is visible from the road, flatbed with plants growing up through it.

Motion to adjourn, DB, second MI, so voted. Meeting ended 7:30pm